

ORIGINAL

FILED  
U.S. DISTRICT COURT  
ATLANTA DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

2015 JAN 13 PM 2:25

CLERK   
SO. DIST. OF GA.

DESI LEE HYMAN JACKSON,

Plaintiff,

v.

SAM ZANDERS, et al.,

Defendants.

CV 314-135

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**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 5.) In response to the Report and Recommendation, Plaintiff has requested leave for 90-180 days to obtain an attorney, leave to prepay the filing fee, and for the Court to forward the case information to an attorney. Under Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002), a prisoner must file a new lawsuit if he wishes to prepay the filing fee. Plaintiff's requests as to an attorney are also meritless as the Court has already determined that Plaintiff is not entitled to proceed in this civil action unless he is in imminent danger of serious physical injury. Thus, Plaintiff's objections are **OVERRULED**. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DENIES** Plaintiff's request to proceed *in forma pauperis* (doc. no. 2), **DENIES AS MOOT**

Plaintiff's motion for leave to obtain an attorney (doc. no. 5), and **DISMISSES** this action without prejudice.

SO ORDERED this 13<sup>th</sup> day of January, 2015, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE